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6 UNITED STATES DISTRICT COURT  
7 DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 JORGE AYALA-CHAVEZ, a/k/a Calcao,

12 Defendant.

3:18-CR-057-MMD-WGC

**Preliminary Order of Forfeiture**

13 This Court finds Jorge Ayala-Chavez, a/k/a Calcao, pled guilty to Count One of a  
14 One-Count Superseding Information charging him with illegal use of a communication  
15 device in violation of 21 U.S.C. § 843(b). Plea Agreement, ECF No. 544; Superseding  
16 Information, ECF No. 549; Arraignment & Plea, ECF No. 555.

17 This Court finds Jorge Ayala-Chavez, a/k/a Calcao, agreed to the forfeiture of the  
18 property set forth in the Plea Agreement and the Forfeiture Allegation of the Superseding  
19 Information. Plea Agreement, ECF No. 544; Superseding Information, ECF No. 549;  
20 Arraignment & Plea, ECF No. 555.

21 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States  
22 of America has shown the requisite nexus between property set forth in the Plea Agreement  
23 and the Forfeiture Allegation of the Superseding Information and the offense to which Jorge  
24 Ayala-Chavez, a/k/a Calcao, pled guilty.

25 The following property is (1) any property, real or personal, which constitutes or is  
26 derived from proceeds traceable to violations of 21 U.S.C. § 843(b), a specified unlawful  
27 activity as defined in 18 U.S.C. §§ 1956(c)(7)(A) and 1961(1)(D), or a conspiracy to commit  
28 such offense; (2) any property constituting, or derived from, any proceeds obtained, directly

1 or indirectly, as the result of violations of 21 U.S.C. § 843(b); (3) any property used, or  
2 intended to be used, in any manner or part, to commit, or to facilitate the commission of  
3 violations of 21 U.S.C. § 843(b); and (4) all moneys, negotiable instruments, securities, or  
4 other things of value furnished or intended to be furnished in exchange for a controlled  
5 substance or listed chemical in violation of 21 U.S.C. § 843(b), all proceeds traceable to such  
6 an exchange, and all moneys, negotiable instruments, and securities used or intended to be  
7 used to facilitate any violation of 21 U.S.C. § 843(b), and is subject to forfeiture pursuant to  
8 18 U.S.C. § 981(a)(1)(C) with 28 U.S.C. § 2461(c); 21 U.S.C. § 853(a)(1); 21 U.S.C. §  
9 853(a)(2); 21 U.S.C. § 881(a)(6) with 28 U.S.C. § 2461(c); and 21 U.S.C. § 853(p):

- 10 1. \$1,000.00 in US Currency seized from Alberto Acosta-Macias at 3503 Postre  
11 Ct.;
- 12 2. \$213.00 in US Currency seized from Jose Mora at 460 E. Grove St.;
- 13 3. \$607.00 in US Currency seized from Shawn Curl at 4986 S. Virginia St.;
- 14 4. \$996.00 in US Currency seized from Shawn Curl at 18119 Cherry Leaf Ct.;
- 15 5. \$2,750.00 in US Currency seized from Shawn Curl at 18119 Cherry Leaf Ct.;
- 16 6. \$16,021.00 in US Currency seized from Shawn Curl at 18119 Cherry Leaf  
17 Ct.; and
- 18 7. \$3,785.00 in US Currency seized from Shawn Curl at 18119 Cherry Leaf Ct.  
19 (all of which constitutes property).

20 This Court finds that the United States of America may amend this order at any time  
21 to add subsequently located property or substitute property to the forfeiture order pursuant  
22 to Fed. R. Crim. P. 32.2(b)(2)(C) and 32.2(e).

23 This Court finds the United States of America is now entitled to, and should, reduce  
24 the aforementioned property to the possession of the United States of America.

25 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND  
26 DECREED that the United States of America should seize the aforementioned property.

27 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory  
28 rights, ownership rights, and all rights, titles, and interests of Jorge Ayala-Chavez, a/k/a

1 Calcao, in the aforementioned property are forfeited and are vested in the United States of  
2 America and shall be safely held by the United States of America until further order of the  
3 Court.

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States  
5 of America shall publish for at least thirty (30) consecutive days on the official internet  
6 government forfeiture website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall  
7 describe the forfeited property, state the time under the applicable statute when a petition  
8 contesting the forfeiture must be filed, and state the name and contact information for the  
9 government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6)  
10 and 21 U.S.C. § 853(n)(2).

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual  
12 or entity who claims an interest in the aforementioned property must file a petition for a  
13 hearing to adjudicate the validity of the petitioner's alleged interest in the property, which  
14 petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C. §  
15 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's  
16 right, title, or interest in the forfeited property and any additional facts supporting the  
17 petitioner's petition and the relief sought.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,  
19 must be filed with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal  
20 Building, 400 South Virginia Street, 3rd Floor, Reno, Nevada 89501, no later than thirty  
21 (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days  
22 after the first day of the publication on the official internet government forfeiture site,  
23 [www.forfeiture.gov](http://www.forfeiture.gov).

24 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the  
25 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States  
26 Attorney's Office at the following address at the time of filing:

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1 Daniel D. Hollingsworth  
2 Assistant United States Attorney  
3 James A. Blum  
4 Assistant United States Attorney  
5 501 Las Vegas Boulevard South, Suite 1100  
6 Las Vegas, Nevada 89101.

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice  
8 described herein need not be published in the event a Declaration of Forfeiture is issued by  
9 the appropriate agency following publication of notice of seizure and intent to  
10 administratively forfeit the above-described property.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send  
12 copies of this Order to all counsel of record.

13 DATED February 4, 2020.

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15 HONORABLE MIRANDA M. DU  
16 UNITED STATES DISTRICT JUDGE  
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**CERTIFICATE OF SERVICE**

A copy of the foregoing was served upon counsel of record via Electronic Filing on February 3, 2020.

/s/ Heidi L. Skillin  
HEIDI L. SKILLIN  
FSA Contractor Paralegal